

**ORDINANCE NO. 20210325-090**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6215 1/2 JOHNNY MORRIS ROAD FROM LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT AND WAREHOUSE/LIMITED OFFICE-CONDITIONAL OVERLAY (W/LO-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited industrial services-conditional overlay (LI-CO) combining district and warehouse/limited office-conditional overlay (W/LO-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-2020-0091, on file at the Housing and Planning Department, as follows:

14.72 acres of land, more or less, being out of James Burleson Survey No. 19, Abstract No. 4, Travis County, Texas, said 14.72 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 6215 1/2 Johnny Morris Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are not permitted uses of the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Exterminating services	Pawn shop services

B. Drive-in service is prohibited as an accessory use to all commercial uses on the Property.

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community

commercial (GR) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

**PART 4.** This ordinance takes effect on April 5, 2021.

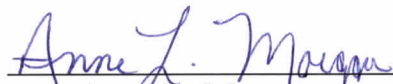
**PASSED AND APPROVED**

March 25, 2021

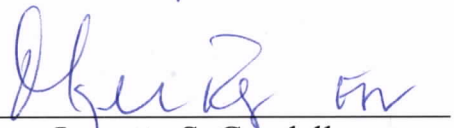
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§  
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\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Jannette S. Goodall  
City Clerk

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING 14.72 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 14.726 ACRE TRACT OF LAND CALLED TRACT THREE CONVEYED TO LSIR, LTD. BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2011069236, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME ALSO BEING A PORTION OF THAT CALLED 15.076 ACRE TRACT OF LAND CONVEYED TO CAREY LEGETT, JR. AND GEORGIA FELTER LEGETT BY WARRANTY DEED RECORDED IN VOLUME 7634, PAGE 137, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 14.72 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a 1/2" iron rod with cap stamped "ALLSTAR 5729" set at an angle point in the present east right-of-way line of Johnny Morris Road (right-of-way varies), in the south line of that certain 4.999 acre tract of land conveyed to Keith L. Whittington and Kelly G. Whittington by Warranty Deed with Vendor's Lien recorded in Volume 12810, Page 923, Real Property Records, of said county, same being the north line of said 15.076 acre Legett tract, for the northeast corner of that certain 0.3502 acre Right-of-Way dedication tract called Tract 1 conveyed to the City of Austin by Street Deed recorded in Volume 11086, Page 601, Real Property Records, of said county, and for the northwest corner hereof, from which a calculated point for the northwest corner of said 0.3502 acre right-of-way dedication and for the southwest corner of said 4.999 acre Whittington tract bears, North 63°07'38" West, a distance of 21.08 feet;

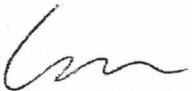
**THENCE** with the common line of said 4.999 acre Whittington tract and said 15.076 acre Legett tract, for the north line hereof, **South 63°07'38" East**, a distance of 775.24 feet to a 1/2" iron rod found in the west railroad right-of-way line of Southern Pacific Transportation, record information unknown, for the southeast corner of said 4.999 acre Whittington tract, and for the northeast corner of said 15.076 acre Legett tract, and also for the northeast corner hereof;

**THENCE** with the common line of said railroad right-of-way line of Southern Pacific Transportation and said 15.076 acre Legett tract, for the east line hereof, **South 18°58'18" West**, a distance of 782.96 feet to a 1/2" iron rod in concrete found for the northeast corner of Armstrong Addition, a subdivision in Travis County, Texas, recorded in Volume 79, Page 118, Plat Records, of said county, and for the southeast corner of said 15.076 acre Legett tract, and also for the southeast corner hereof;

**THENCE** with the common line of said Armstrong Addition and said 15.076 acre Legett tract, for the south line hereof, **North 61°59'47" West**, a distance of 899.16 feet to a 1/2" iron rod with cap stamped "ALLSTAR 5729" set at an angle point in the present east right-of-way line of Johnny Morris Road, for the southeast corner of said 0.3502 acre right-of-way dedication, and for the southwest corner hereof, from which a calculated point for the northwest corner of said Armstrong Addition bears, North 61°59'47" West, a distance of 4.20 feet, and continue a total distance of 19.70 feet for the southwest corner of said 0.3502 acre right-of-way dedication and the southwest corner of said 15.076 acre Legett tract;

**THENCE** with the east line of said 0.3502 acre right-of-way dedication, over and across said 15.076 acre Legett tract, for the west line hereof, **North 28°05'27" East**, a distance of 757.95 feet to the **POINT OF BEGINNING**, containing an area of 641,369 square feet or 14.72 acres.

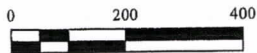
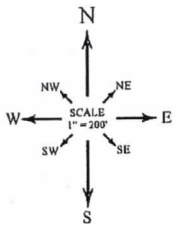
THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

  
EDWARD RUMSEY  
TX R.P.L.S. No. 5729  
Job No. A0709219

08/07/2019  
Date







LINE	BEARING	LENGTH
L1	N 63°07'38" W	21.08'
(L1)	(N 61°09'42" W)	(21.08')
L2	N 61°59'47" W	19.70'
(L2)	(N 60°02'02" W)	(19.70')

#### LEGEND

- 1/2" ROD FOUND
- CALCULATED POINT
- 1/2" ROD W/ CAP SET "ALL STAR 5729"
- CHAIN LINK FENCE
- M— METAL FENCE
- ( ) RECORD INFORMATION
- UTILITY POLE
- OH OVERHEAD UTILITY LINE(S)
- TELEPHONE RISER
- CONCRETE
- DETAIL
- STONE
- ON INSIDE OF SUBJECT BOUNDARY
- OFF OUTSIDE OF SUBJECT BOUNDARY
- P.O.B. POINT OF BEGINNING

**JOHNNY MORRIS ROAD**  
(R.O.W. VARIES)

R.O.W. DEDICATION TRACT I  
(0.3502 ACRES)  
(VOL. 11086, PG. 601)

CONCRETE HEADWALL

KEITH L. WHITTINGTON &  
KELLY G. WHITTINGTON  
4.999 ACRES  
(VOL. 12810, PG. 923)

14.72 ACRES  
641,369 SQ. FT.  
LSIR, LTD.  
14.726 ACRES  
(DOC. NO. 2011069236)  
DESCRIBED AS  
15.076 ACRES  
(VOL. 7634, PG. 137)

ARMSTRONG ADDITION  
4.00 ACRES  
(VOL. 79, PG. 118)

1/2" IRON ROD  
IN CONCRETE  
FOUND

SHEET 1 OF 2

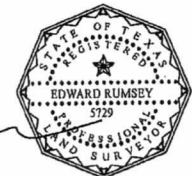
#### RESTRICTIONS

SUBJECT TO RESTRICTIONS RECORDED IN VOL. 11086, PG. 610.  
SUBJECT TO EASEMENT RECORDED IN VOL. 683, PG. 200.

#### LEGAL DESCRIPTION

BEING 14.72 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 14.726 ACRE TRACT OF LAND CALLED TRACT THREE CONVEYED TO LSIR, LTD. BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2011069236, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME ALSO BEING A PORTION OF THAT CALLED 15.076 ACRE TRACT OF LAND CONVEYED TO CAREY LEGETT, JR. AND GEORGIA FELTER LEGETT BY WARRANTY DEED RECORDED IN VOLUME 7634, PAGE 137, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 14.72 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEARING BASIS:  
BEARINGS ARE GRID NORTH  
BASED ON THE TEXAS COORDINATE SYSTEM  
CENTRAL TEXAS ZONE (4203)  
NAD83 HARN HORIZONTAL CONTROL.



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:

#### INDEPENDENCE TITLE COMPANY

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

#### F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0460K. PANEL: 0460K. DATED: 01/06/2016

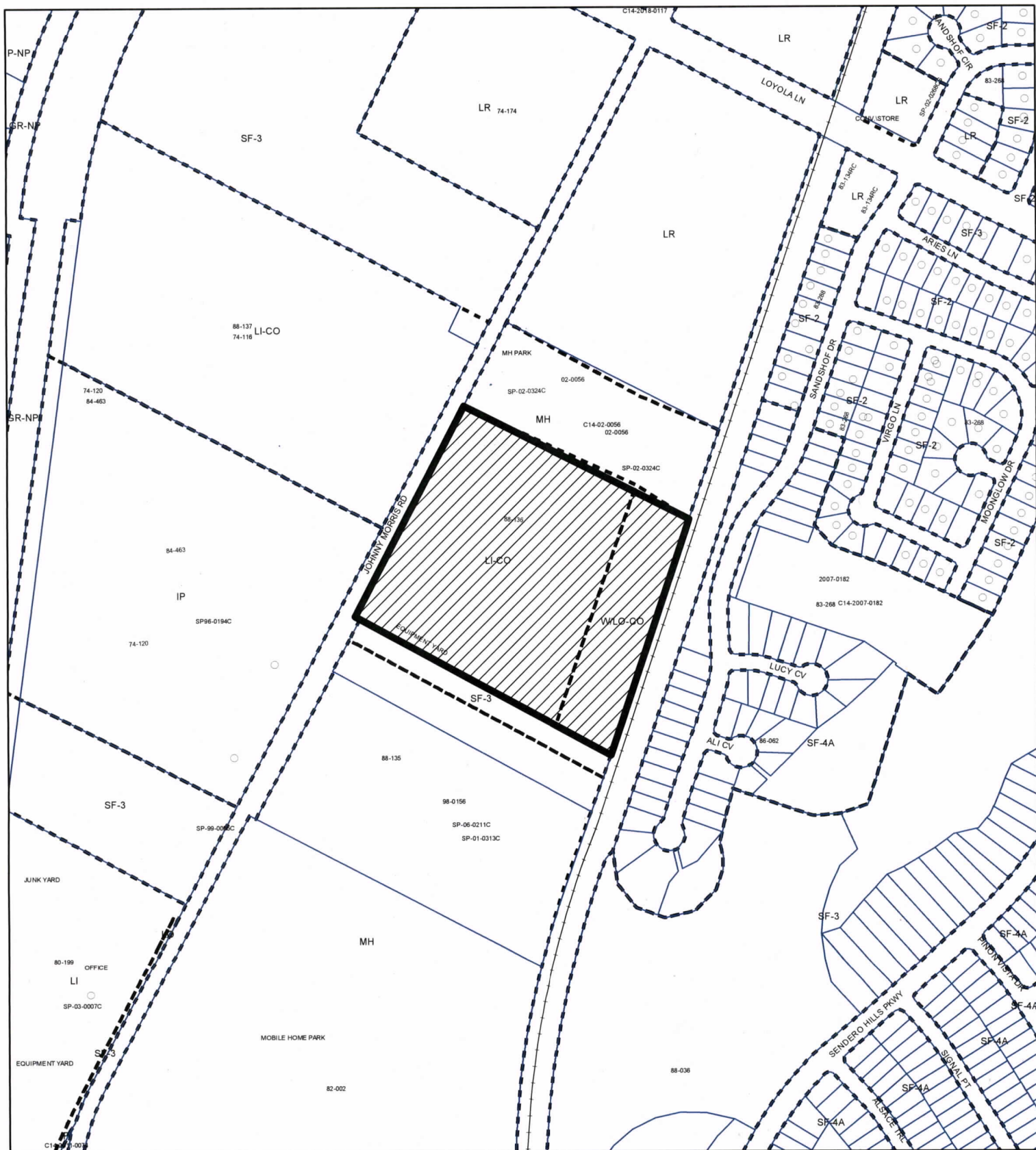
THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

#### ADDRESS

CHRISTIAN GARCES  
6125 1/2 JOHNNY MORRIS ROAD  
AUSTIN, TRAVIS COUNTY, TEXAS

**ALLSTAR**  
Land surveying  
9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 331-5217 FAX  
TOPICS FIRM NO. 10135000

SURVEY DATE:	AUGUST 07, 2019	FILED BY:	REX NOWLIN	08/01/2019
TITLE CO.:	INDEPENDENCE TITLE CO.	CALC. BY:	CHRIS ZOTTER	08/06/2019
G.F. NO.:	1849393-BCP	DRAWN BY:	DAVID BAK	08/07/2019
JOB NO.:	A0709219	RPLS CHECK:	EDWARD RUMSEY	08/07/2019






## ZONING

ZONING CASE#: C14-2020-0091

Exhibit B



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 8/11/2020